

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1, 3-6, and 8-12 are pending in the application, with 1, 6, and 10 being the independent claims. Claims 1, 6, and 10 have been amended. Support for this amendment can be found in the Specification on page 20, line 20- page 21, line 19. Claims 13-15, 18-20, and 26-27 have been withdrawn from further consideration in the present application. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 112

In the Office Action, claims 1, 6, and 10 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Applicants have amended claim 1, 6, and 10. Claim 1 now recites "receiving status reports from said group of transceivers in contention slots shared among said group." Claim 6 now recites "transmitting status reports in contention slots shared with other transceivers" Claim 10 now recites "transmitting a status report in contention slots shared with other transceivers." Support for these amendments can be found in the Specification at page 20, line 20 - page 21, line 19. Applicants submit that amended claims 1, 6, and 10 comply with the written

description requirement under 35 U.S.C. §112, first paragraph. Reconsideration and withdrawal of this ground of rejection is therefore respectfully requested.

Rejections under 35 U.S.C. § 102

In the Office Action, claims 1-3 and 5-11 were rejected under 35 U.S.C. §102(e) as being anticipated by Tanno *et al.*, U.S. Patent 6,078,572 (Tanno). Applicants note that claims 2 and 7 were canceled in the Amendment and Reply Under 37 C.F.R. § 1.111 filed on May 30, 2003. Applicants respectfully traverse this ground of rejection with respect to amended claims 1, 6, and 10, previously presented claims 3, 5, and 7-9, and original claim 10.

On September 11, 2003, Applicants' representatives, Edward Kessler and Lori Gordon held a personal interview with Examiner T. Nguyen and Primary Examiner N. Vo regarding the present application. During that interview technical differences between Tanno, *et al.* (U.S. Patent 6,078,572) and independent claims 1 and 10 were discussed. The Examiners agreed that Tanno failed to disclose "receiving status reports from said group of transceivers in an access channel shared with other transceivers in said group." The Examiners further agreed to withdraw the final rejection. Subsequent to the personal interview, an Office Action was issued rejecting these claims under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Applicants have amended claims 1, 6, and 10 as discussed above.

Applicants submit that Tanno does not teach or suggest every feature recited in Applicants' currently amended independent claims 1, 6, and 10. Tanno describes a

terrestrial mobile communication system in which a common channel for communications from a group of mobile stations to a base station is divided into an access channel and a number of message channels. Data items can be transmitted by any of the mobile terminals in the access channel. However, if a larger data item is to be transmitted by a mobile station, the mobile station sends a transmission request in the access channel and the base station allocates a time in a message channel for transmission of the data.

Applicants' invention, on the other hand, calls for varying the timing of transmission of status reports in contention slots shared with other transceivers. Tanno describes varying the timing for transmission of data in message channels and not varying the timing for transmission of status reports in contention slots.

For the foregoing reasons, Applicants submit that Tanno does not disclose or teach the use of contention slots shared among multiple transceivers as recited in currently amended independent claims 1, 6, and 10. Reconsideration and withdrawal of this ground of rejection as to claims 1, 6, and 10 and their respective dependent claims 3, 5, 8, 9, and 11 are therefore respectfully requested.

In the Office Action dated July 1, 2003, the Examiner rejected claims 26-27 under 35 U.S.C. §102(e) as being anticipated by Tanno. However, in Applicants' Reply to Restriction Requirement dated November 19, 2002, Applicants elected to prosecute the invention of Group I, represented by claim 1-12, in the present application. The remaining claims were withdrawn from consideration in the present application. Applicants respectfully request that the Examiner clarify whether the Restriction Requirement as to claims 26 and 27 has been withdrawn.

Rejections under 35 U.S.C. § 103

In the Office Action, the Examiner rejected claim 4 under 35 U.S.C. §103(a) as being unpatentable over Tanno in view of Chuah, U.S. Patent 6,327,254 (Chuah). Applicants respectfully transverse this ground of rejection with respect to claim 4.

Claim 4 depends from currently amended independent claim 1. The differences between the subject matter claimed in amended claim 1 and the disclosure of Tanno have been discussed above. Chuah adds nothing to Tanno that overcomes the deficiencies of Tanno relative to the herein claimed invention. For at least these reasons, claim 4 is patentable over the combination of Tanno and Chuah. Reconsideration and withdrawal of this ground of rejection is therefore respectfully requested.

In the Office Action, the Examiner rejected claim 12 under 35 U.S.C. §103(a) as being unpatentable over Tanno in view of Usui, U.S. Patent 6,430,172 (Usui). Applicants respectfully transverse this ground of rejection with respect to claim 12.

Claim 12 depends from currently amended independent claim 10. The differences between the subject matter claimed in amended claim 10 and the disclosure of Tanno have been discussed above. Usui adds nothing to Tanno that overcomes the deficiencies of Tanno relative to the herein claimed invention. For at least these reasons, claim 12 is patentable over the combination of Tanno and Usui. Reconsideration and withdrawal of this ground of rejection is therefore respectfully requested.

Other Matters

In the Office Action Summary, the Examiner indicated that claim 2 and claims 13-25 were withdrawn from consideration. Applicants note that claim 2 was canceled in the

Amendment and Reply Under 37 C.F.R. § 1.111 filed on May 30, 2003, claims 21-22 were canceled in the Supplemental Preliminary Amendment filed on July 17, 2000, and claims 16-17 and 23-25 were canceled in the Preliminary Amendment filed on November 15, 1999. In Applicants' Reply to Restriction Requirement dated November 19, 2002, Applicants elected to prosecute the invention of Group I, represented by claim 1-12, in the present application. Claims 13-15, 18-20, and 26-27 were withdrawn from consideration in the Office Action dated January 2, 2003.

Drawings

The two drawing sheets containing Figures 9a, 9b, and 9c and Figures 10a, 10b, and 10c have been replaced with one replacement drawing sheet containing Figures 9 and 10 as shown in the concurrently submitted Request to Approve Proposed Drawing Correction. The Figures presented on the replacement sheet are identical to the Figures originally filed with the application on November 15, 1999. When the formal drawings were filed on October 27, 2000, originally filed Figures 9 and 10 were erroneously switched with Figures 9a-c and Figures 10a-c from co-pending application 09/439,348.

In addition, Applicants have included a marked-up copy of the drawing sheets containing Figures 9a-c and Figures 10a-c labeled "Annotated Marked-up Drawings." The marked-up copy indicates both sheets of drawings are to be replaced with the submitted replacement sheet.

The replacement sheet adds no new matter to this application. Applicants request that the Examiner approve the proposed replacement sheet.

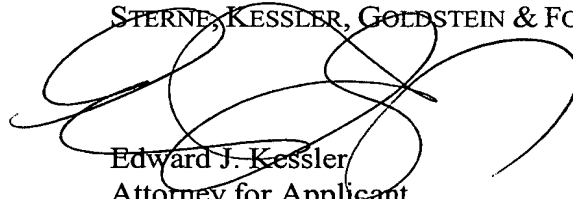
Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A large, stylized handwritten signature in black ink, appearing to be 'EJ Kessler', is written over the printed name and title.

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FIG. 9a

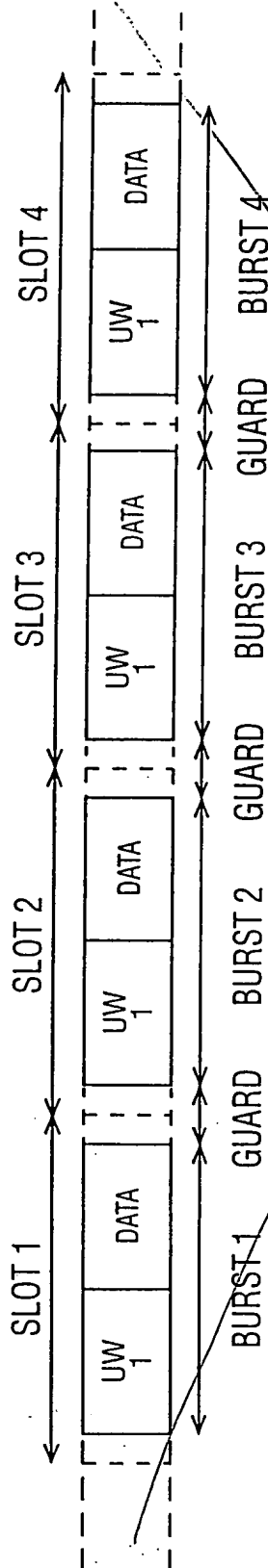


FIG. 9b

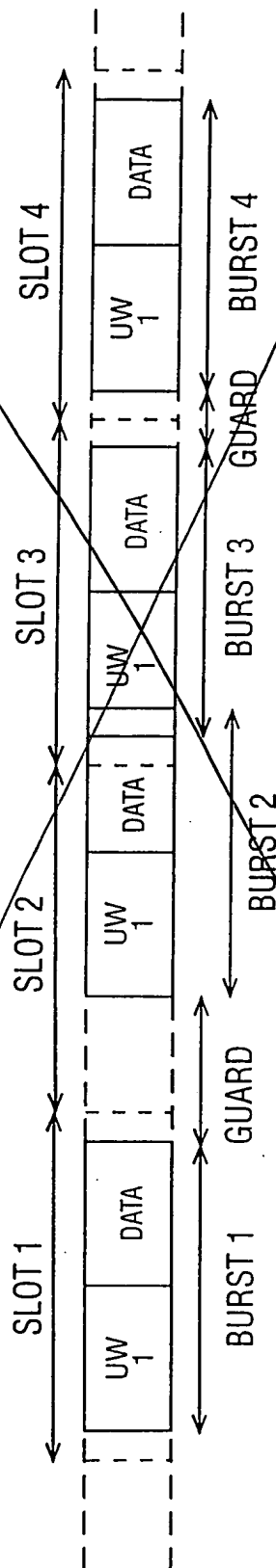


FIG. 9c

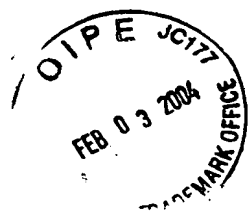
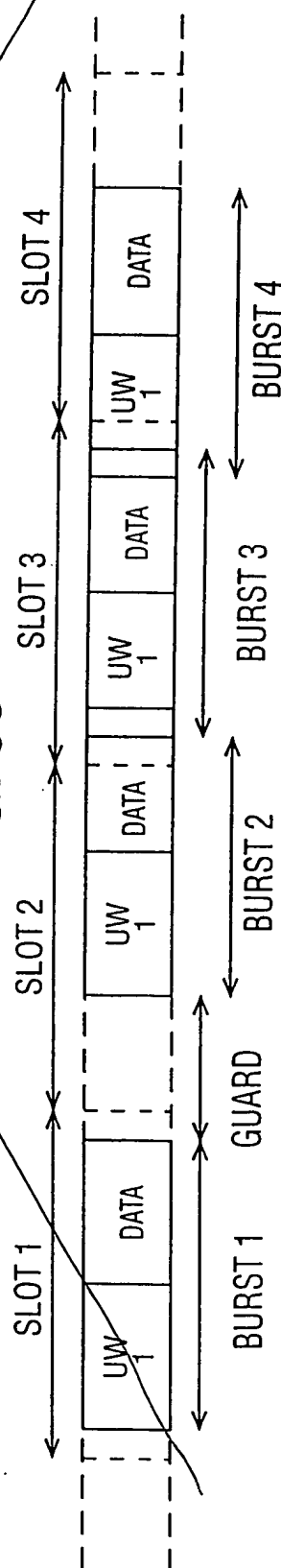




FIG. 10a

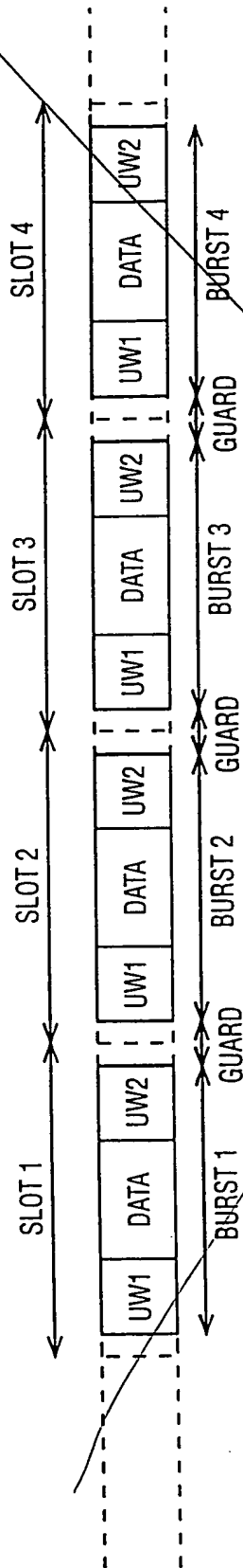


FIG. 10b

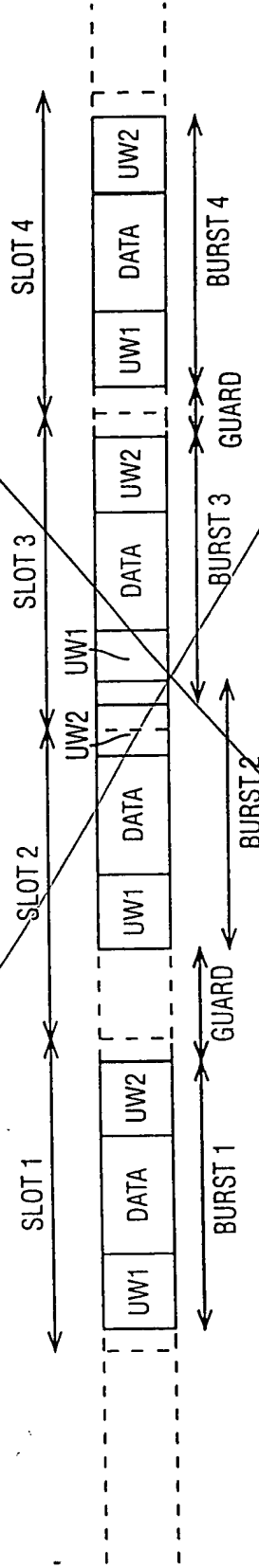


FIG. 10c

